

DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY MATERIEL COMMAND
9301 CHAPEK ROAD, FORT BELVOIR, VA 22060-5527

AMC SUPPLEMENT 1
to AR 380-10

2 November 2005

Security

FOREIGN DISCLOSURE AND CONTACTS WITH FOREIGN REPRESENTATIVES

AR 380-10, 22 June 2005, is supplemented as follows:

Page i, Applicability. This supplement applies to Headquarters (HQ), U.S. Army Materiel Command (AMC), major subordinate commands (MSCs), separate reporting activities (SRAs), AMC program/product managers, and separate installations and activities reporting directly to HQ AMC.

Page i, Supplementation. This supplement may be further supplemented by AMC MSCs/SRAs. Copies of each supplement will be furnished to HQ, AMC G2, Security Countermeasures Division, (ATTN: AMXMI-SCD).

Page 1, paragraph 1-1, Purpose. Add the following: This supplement implements AR 380-10 within AMC and establishes the AMC Foreign Disclosure Program.

Page 1, paragraph 1-4, Policy. Add the following to subparagraph a (1): This includes U.S. citizens representing foreign governments.

Page 3, subparagraph 1-4f, Policy. Add the following subparagraph (14) to subparagraph 1-4f:

(14) Procedures to Extend Short Notice Invitations to Foreign Nationals for Public Domain Visits:

(a) The following procedures will be followed on the infrequent occasions when Army activities become aware of foreign experts traveling in the U.S. and wish, on extremely short notice, to invite them to visit. Those proposed visitations are usually the result of an Army activity becoming aware of foreign nationals who are in the United States to participate in conferences, academic meetings, etc., and who are recognized as experts in areas of interest to that activity.

(b) Personnel are normally willing to visit their Army counterparts to conduct lectures, and/or participate in seminars which result in a primarily one-way exchange of information relating to the foreign national's area of expertise. Time constraints, however, preclude complying with normal visit request procedures. In those instances, where the activity desires to extend a visit invitation, the following criteria must apply:

- Visit must provide net benefit to the Army.
- The visit will not be Army-funded.

- U.S. information discussed must be public domain cleared per AR 360-1.
- Army information disclosed to the foreign national must be under the proponentcy of the visited activity or release authority must be obtained in writing from the proponent in advance.

Page 6, paragraph 1-11, Heads of Headquarters, Department of the Army field operating agencies and staff support agencies and Commanders of major Army commands. Add subparagraphs (1) and (2) to subparagraph 1-11 (b):

(1) The AMC Deputy Chief of Staff, G2, (ATTN: AMCMI) is the principal advisor to the Commander on matters pertaining to release of military information to foreign governments, establishes plans and policies for the Foreign Disclosure Program, and is the AMC Foreign Disclosure Officer (FDO).

(2) Foreign Disclosure Officers (FDO). MSC and SRA Commanders/Directors will appoint FDOs in writing and a copy of appointment orders will be provided to AMC G2, (AMXMI-SCD). The FDO is responsible for ensuring requirements of the Army/AMC Foreign Disclosure Program, outlined in the National Disclosure Policy (NDP), AR 380-10, and this supplement, are implemented within their respective organizations. FDOs will be appointed as follows:

(a) HQ AMC Command Group—the G2 FDO is responsible for all foreign visits to HQ AMC Command Group, requests for documentary information, and certification of foreign nationals to HQ AMC.

(b) MSCs/SRAs—The FDO/Assistant FDO will normally be the senior member of the security and counterintelligence staff. MSC Commanders may designate additional FDOs at each subordinate off-site installation/activity within the MSC. The MSC FDO will maintain centralized oversight and control of the MSC Foreign Disclosure Program.

(c) U.S. Army Security Assistance Command (USASAC)—The FDO/Assistant FDO will be the senior official authorized to receive/process requests for foreign visits (RVAs) to HQ USASAC, and to exercise disclosure authority for information outlined in paragraph 2-8 of AR 380-10, and this supplement.

Page 6, paragraph 1-12, Commanding General, U.S. Army Materiel Command. Add the following to subparagraph a: Within AMC this subparagraph pertains to AMC-sponsored Advanced Technology Assessment Reports (ATARs).

Page 7, paragraph 1-12, Commanding General, U.S. Army Materiel Command. Add the following to subparagraph f: Within AMC this subparagraph pertains to international cooperative programs sponsored by the RDECOM International Interagency Industrial and Academia (3IA) Directorate (AMSRD-SS-I) (i.e., Data Exchange Agreements (DEAs), International Exchange Agreements (IEAs), and Project Arrangements (PAs). As required, AMC G2 (AMXMI-SCD) will coordinate with National Ground Intelligence Center (NGIC) and

Army Counterintelligence Center (ACIC) for intelligence assessments required by AR 380-10. Production Requirements (PRs) are designed to satisfy the regulatory requirements for these intelligence assessments. On occasion, a separate, specially tailored PR might be required because the original PR is no longer sufficient. Foreign Military Sales (FMS) cases are managed by USASAC and undergo a similar assessment process by DA G2 and the Defense Security Cooperation Agency (DSCA).

Page 7, subparagraph 1-12h, Commanding General, U.S. Army Materiel Command. Add the following subparagraphs i through k:

i. The AMC G2 (AMCMI), (AMXMI), (AMXMI-SCD) are the POC for technology protection within AMC.

(1) The AMC G2 (AMXMI-ISC) will direct the development of Advanced Technology Assessment Reports (ATARs) on selected leading edge state of the art technologies that may not be currently included in a weapon system.

(2) The AMC G2 (AMXMI-ISC) will ensure AMC technical review and input to the Militarily Critical Technologies List (MCTL) and ensure AMC technical experts represent the Army position on any specific technology.

(3) The AMC G2 (AMXMI-SCD) will provide technical guidelines, recommendations, assistance and data through the RDECOM 3IA Directorate and the Commander, U.S. Army Security Assistance Command to control technology transfer to foreign countries.

j. MSC/SRA Commanders/Directors will refer all technology protection matters within their respective commands to the Senior Intelligence Officer (SIO) and supporting Technology Protection Officer (TPO) who will:

(1) Assist the Army Technology Objective (ATO) Managers and Program/Project Managers (PMs) of AMC and laboratory directors in: the identification of critical technologies within their programs; identification of critical parameters requiring control in advance of any technology protection proposals; identification and prioritization of emerging critical technologies; development of Technology Protection Plans; and the conduct of technical threat assessments of weapon systems and critical technologies within their cognizance.

(2) Submit a memorandum to AMC G2 (AMXMI-SCD) identifying critical technologies and associated programs for which the MSC, Research, Development and Engineering Center (RDEC), or its supported elements have proponentcy. Memorandum will be classified according to content in accordance with applicable security classification guides, AR 380-5, AR 530-1, and DOD 5000 series documents.

(3) The AMC G2 (AMXMI-SCD) will ensure development of program assessments of applied and emerging technologies which have a potential for domestic application or dual use to ensure adequate safeguards are established to prevent loss of critical technologies. Assessments

of special access programs will be provided to special access coordinators within the MSC by the SIO.

(4) The AMC G2 (AMXMI-ISD) will ensure development of a draft foreign capabilities and systems appendix for each Advanced Technology Assessment Report (ATAR).

(5) The AMC G2 (AMXMI-ISD) will evaluate available data provided by the PM to determine whether more reliable or current information is available from on-line intelligence databases via Secret Internet Protocol Router Network (SIPRNET) and/or Joint Worldwide Intelligence Communications System (JWICS).

(6) The AMC G2 (AMXMI-SCD) will ensure that the U.S. Army Intelligence and Security Command (INSCOM) counterintelligence and security support described in paragraph 1-11 is coordinated with appropriate AMC elements.

k. The AMC G2 (AMXMI-SCD) will maintain continuous coordination with supporting intelligence production/collection agencies in the development of technology protection and foreign disclosure programs of AMC and elements provided matrix support. AMC security/intelligence officers will provide interface between the intelligence community and AMC research, development, and engineering communities.

Page 10, paragraph 2-5, Maximum Delegated Disclosure Levels. Add the following to subparagraph c: All AMC-sponsored requests for Exceptions to the National Disclosure Policy (ENDPs) will be staffed through MSC/SRA G2 channels to AMC G2, ATTN: AMXMI-SCD, per Appendix B, AR 380-10.

Page 12, subparagraph 2-8b(1)(b) Category 2. Add subparagraph 6 after subparagraph 2-8b(1)(b)5:

6. The CG, AMC through HQDA G2 is delegated authority to approve disclosure of AMC Category 2 CMI per AR 380-10 and the NDP.

Page 13, subparagraph 2-8b(1)(c), Category 3. Classified military information (CMI) disclosure authority and delegation of authority. Add subparagraph 4:

4. The CG, AMC through HQDA G2 is delegated authority to approve disclosure of AMC Category 3 CMI per AR 380-10 and the NDP.

Page 13, paragraph 2-8, Classified military information disclosure authority and delegation of authority. Add subparagraph 2-8 c:

c. The CG, AMC is delegated disclosure authority for AMC-originated Category 2 and Category 3 information per AR 380-10. As a condition for the retention of CMI disclosure authority all personnel approved for Original Classification Authority (OCA) in accordance with AR 380-5 and responsible for disclosures of CMI will receive annual training to include annual refresher training. Each MSC/SRA must submit a memorandum to AMC G2 (AMXMI-SCD) by

15th March of each year indicating names, and positions, of personnel trained, and dates training occurred.

At a minimum, the following topics must be covered:

- (1) An overview of Army Disclosure Policy and the role of the FDO.
 - (2) Implementation of Delegated Disclosure Authority Letters (DDLs).
 - (3) Prohibitions on third party disclosures and the making of false impressions for potential disclosure.
- d. The Commander, U.S. Army Security Assistance Command (USASAC) exercises authority concerning the implementation of Army Security Assistance to foreign governments, to include: foreign military sales (FMS)/leases of equipment; coproduction; Cooperative Logistics Supply Support Arrangements (CLSSA); military assistance programs (MAP); and international military education and training (IMET). All requests to disclose Army Security Assistance (Foreign Military Sales) CMI and Controlled Unclassified Information (CUI) will be submitted through security assistance channels and referred exclusively to USASAC (AMSAC-SD) for action, irrespective of whether such disclosures are to occur in an oral, visual, or documentary mode. Release of AMC CMI will be coordinated with the MSC and FDO having proponentcy over the information/equipment.

Page 13, subparagraph 2-8b(3), Classified military information disclosure authority and delegation of authority. Add subparagraphs a, b, after subparagraph 3:

- a. Disclosure of Category 3 CMI for visits, embassy requests for information, meetings/symposia and conferences which do not have approved Delegation of Disclosure Authority Letters (DDLs) requires staffing of papers/briefings with the proponents of information and local FDO and forwarding the papers/briefings with recommendation for disclosure/denial to AMC G2 (AMXMI-SCD) for disclosure/denial determination per AR 380-10 and this supplement.
- b. Category 3 CMI requested under terms of established international agreements/programs (e.g., DEAs, IEAs, MOUs, and TTCP) which do not have approved DDLs for disclosure of CMI, will be coordinated with the proponents of information and local FDO, and forwarded with justification for disclosure/denial to RDECOM G2/FDO (AMSRD-IS) for review. RDECOM G2 will coordinate with AMC G2 (AMXMI-SCD) for disclosure determination per AR 380-10 and the National Disclosure Policy.

Page 14, paragraph 2-10, Responsibility and establishment of foreign disclosure officers. Add the following to subparagraph a and b: MSC FDOs will provide a consolidated listing of their FDOs to AMC G2, ATTN: AMXMI-SCD NLT 15 Dec annually. Foreign Disclosure Officers are required to attend the Foreign Disclosure Certification course conducted by the U. S. Army Intelligence Center at Ft Huachuca, Arizona. .

Page 14, paragraph 2-11, Foreign disclosure channels and general decision procedures. Add the following to subparagraph a(3): Requests will be forwarded through AMC G2, ATTN: AMXMI-SCD.

Page 15 paragraph 3-2, Department of the Army classified military information disclosed during visits. Add subparagraphs c and d:

c. Processing foreign visits within HQ AMC: Within the HQ AMC Command Group, all foreign requests to visit HQ AMC will be processed by AMXMI-SCD. AMXMI-SCD will recommend to AMCGS which DCS should sponsor the visit. AMCGS will task the appropriate staff elements and require response to AMXMI-SCD.

d. Processing foreign visits to MSCs/SRAs: MSCs/SRAs will receive and respond to RVAs via SPAN/FVS. The AMC G2/AMXMI-SCD will respond to HQDA G2 once the MSC/SRA recommendation has been received via SPAN/FVS.

Page 16, paragraph 3-4, Documentary requests for United States classified military information. Add the following to subparagraph a: All MSC FDOs are required to establish a classified and unclassified account with the Defense Technical Information Center (DTIC), Registration Team, (703) 767-8271 or DSN 427-8271, 8725 John J. Kingman Road, Suite 0944, Fort Belvoir, VA 22060-6218. All requests to disclose Army Security Assistance Foreign Military Sales (FMS) CMI will be submitted through Security Assistance channels and referred exclusively to AMSAC for action.

Page 16, paragraph 3-4, Documentary requests for United States classified military information. Add the following to subparagraph d: Requests will be forwarded through AMC G2, ATTN: AMXMI-SCD.

Page 18, paragraph 3-8, Foreign access to computers and networks. All foreign nationals (FLOs, ESEP, CPPs) will be processed in accordance with AR 25-2, paragraph 4-15. Before accessing any system, a foreign national will sign a user agreement which includes; Acknowledgment of appropriate information security policies procedures and responsibilities, consequences of not adhering to security procedures and responsibilities; identifying requirements when dealing with others through oral, written, and electronic communications, such as email. This user agreement must be kept on file and available during the Intelligence and Security Program Inspections (ISPIs).

Page 32, paragraph D-4, Preparation of delegation of disclosure authority letters. Add the following on all DDLs pertaining to IEAs and DEAs: DDLs will be prepared in accordance with AR 380-10 format. For all Information Exchange Program (IEP) annexes that propose to transfer CMI to the foreign partner, the requisite CMI DDL must be approved by the Army G2 Foreign Disclosure Division (DAMI-CDD). The IEP Annex package will be forwarded to the DAMI-CDD through the G2 chain of command to HQ, AMC G2 (AMXMI-SCD) as appropriate. Each subordinate G2 will review and forward the package up the chain within 5 days from the date of receipt. DAMI-CDD will assign a DDL number and approval date and send this information out

to the entire G2 chain. The local G2 FDO will provide a copy to the International Point of Contact (IPOC) as required.

DAMI-CDD is the Army Office of Record of all DDLs. Therefore, the local supporting FDO will forward a certified copy of every CUI DDL which is approved by a subordinate Commander/Director through G2 channels to HQ, AMC (AMXMI-SCD) within 10 days of approval. HQ, AMC FDO will provide a copy to HQDA G2 (DAMI-CDD). The DDL number, approval date, and expiration date will be assigned at the local FDO level. The expiration date must be 5 years from the approval date or expiration of the agreement (whichever comes first).

The TPO/ATPO(s) will fully support the provisions of AR 381-12 by notifying their FDO of any suspected attempts to elicit or otherwise collect information not authorized by the DDL. The FDO will contact the local cognizant Army counterintelligence office.

Page 43, paragraph G-5, Procedures. Add subparagraph (3) after subparagraph b(2):

(3) The U.S. sponsor is responsible for ensuring each person scheduled to give a presentation at the meeting is informed of foreign countries expected to have representatives in attendance and the responsibility to: Submit an abstract or detailed outline of the presentation(s) for preliminary review through G2 channels to AMC G2 (AMXMI-SCD) at least 30 days prior to the scheduled presentation. Include recommendations for release/denial and appropriate international agreement/program for each foreign government invited and disclosure level of the information to be released. Coordination with the MSC/SRA FDO having proponentcy over the information/item/equipment/ system will be done prior to submission to AMC G2 (AMXMI-SCD) and a copy of the response will be attached for review. This does not apply if the information to be disclosed is within the scope of the DDL of the foreign representative(s).

Page 43, paragraph G-5, Procedures. Add subparagraph (3) after subparagraph c(2):

(3) If the information to be disclosed is CMI and is out of scope of the established DDL, the U.S. sponsor will forward a copy of the final text (and any supporting graphic aids) for formal AMC disclosure determination through the local FDO to AMC G2 (AMXMI-SCD) no later than 45 days prior to the meeting (60 days if the information involves proprietary restrictions or is of third country origin). Obtaining disclosure authorization is the exclusive responsibility of the individual and/or organization proposing to render the presentation. Coordination with the proponent of the information/item/equipment/system will be done prior to submission to AMC G2 (AMXMI-SCD) and a copy of the response will be attached for review.

Page 43, paragraph G-7, Classified meetings. Add subparagraph c after subparagraph b:

c. Requests to host a classified meeting will be coordinated with the local FDO and forwarded through G2 channels to AMC G2 (AMXMI-SCD) for processing.

Page 55, paragraph J-4, Conditions and limitations. Add the following to the end of subparagraph h: All foreign representatives assigned throughout AMC will be issued a Common Access Card (CAC) or other identification which identifies them as a foreign representative. The

CAC will only be good for the command, organization, center, or laboratory to which the foreign representative has been certified and only during normal duty hours. If your organization does not currently have a particular pass/badge to identify foreign representatives, you will have to create one.

Page 55, paragraph J-5, Administering foreign liaison officers. Add subparagraphs (5), (6), and (7), to subparagraph J-5a:

(5) All visits that fall under an approved extended foreign nationals terms of certification will be coordinated between the U.S. Contact Officer and the local security manager of the location to be visited. Additionally the contact officer will coordinate with the local FDO within 14 business days of an anticipated visit and/or approval. Requests to visit other Army activities not under AMC's jurisdiction will be returned to the requestor without action and will be advised to submit a formal visit request via their embassy to the activity to be visited.

(6) Visits by AMC certified FLOs to AMC Defense Contractor facilities will be reviewed by the local Contracting Officer Representative (COR) and FDO to assure information requested is under the proponency of the command; within the terms of certification; and that the requirements of subparagraph I-12c(3)(c)3 of AR 380-10, and this supplement have been met.

(7) These visits will be recorded in FDO records and, when available, in SPAN/FVS.
Page 55; paragraph J-5, administering foreign liaison officers. Add the following to the end of subparagraph c:

FLOs must submit written justification to their Contact Officer (CO) for access to AMC and/or Army information system networks, including AKO. CO must comply with AR 25-2 paragraph 4-15 and review access requirements in accordance with the DDL. The CO will prepare a written justification to the local G2 and G-6 recommending approval. The local G2 will forward the request to AMC G2, (AMXMI-SCD). AMC G2 will forward the request to HQDA G-6 who may approve or deny network access after coordination with a risk management analysis by the data owner(s), data processing activity manager(s), and the designated accreditation authority. The FLO will not gain access to Army Automated Information System (AIS) networks until a final decision is rendered.

Page 55, paragraph J-6, Foreign Disclosure Officer. Add the following as subparagraph c:
Submitting a monthly report to AMC G2, (AMXMI-SCD) electronically identifying all extended foreign nationals within your preview. The required format is located at Figure J-5, FDO Report of Foreign Nationals and is due the last business day of the month.

Page 55, paragraph J-7, United States Contact Officer. All individuals designated as Contact Officers will be provided a mandatory annual briefing of their duties and responsibilities by the FDO. A certification statement must be on file, documented and signed by the Contact Officer and the FDO. Documentation must be made available during ISPIs.

Page 55, paragraph J-7, United States Contact Officer. Add subparagraph b(9):

(9) Upon departure of a FLO and other certified foreign representatives, the Contact Officer will ensure:

- (a) The FLO's access to all AIS has been terminated, to include access to AKO.
- (b) The FLO's building badge (CAC card and any other form of building access control) has been turned in.
- (c) If vehicle decals were issued as a form of access control onto an installation, that they have been removed and destroyed.
- (d) All documentary information belonging to the FLO has been removed.
- (e) If the FLO had access to a safe, the safe has been cleared and the combination changed.
- (f) A copy of the departure checklist is filed with the servicing FDO.

The proponent of this regulation is the U.S. Army Materiel Command. Users are invited to send comments and suggested improvements in DA Form 2028 (Recommended Changes to Publications and Blank Forms) to the Commander, U.S. Army Materiel Command, ATTN: AMXMI-SCD, 9301 Chapek Road, Fort Belvoir, VA 22060-5527.

FOR THE COMMANDER:

//Signed//
WILLIAM E. MORTENSEN
Lieutenant General, USA
Chief of Staff

REPORT OF FOREIGN NATIONALS

COMMAND: _____

DDL NUMBER: _____

DDL CHANGES: YES _____ **NO** _____

RVA DISPOSITION: **WORKING** _____
 ACTION _____
 APPROVED _____
 DENIED _____
 RELEASED _____
 GUILLOTINED _____
 CANCELLED _____
 RETURNED _____

COUNTRY: _____

OF VISITORS PER RVA: _____

EXTENDED VISITOR RVA (NEW): _____

EXTENDED VISITOR NAME: _____

EXTENDED VISITOR START DATE: _____

EXTENDED VISITOR STOP DATE: _____

COMMENTS: _____

